

United States District Court

MIDDLE

DISTRICT OF

ALABAMA

UNITED STATES OF AMERICA

v.

BERNETTA WILLIS

CRIMINAL COMPLAINT

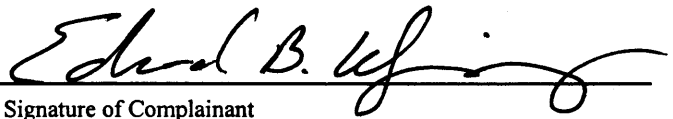
CASE NUMBER:

2:06mj10-SRW

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about January 23, 2006, in Montgomery county and elsewhere within the Middle District of Alabama defendant(s), used physical force and the threat of physical force against a person, and attempted to do so, with intent to influence, delay, or prevent the testimony of that person in an official proceeding in violation of in violation of Title 18 United States Code, Section(s) 1512(a)(2). I further state that I am a(n) Special Agent with the Department of Homeland Security, Office of Inspector General and that this complaint is based on the following facts:

SEE ATTACHED AFFIDAVIT WHICH IS INCORPORATED BY REFERENCE

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No


Signature of Complainant

Sworn to before me and subscribed in my presence,

January 27, 2006
Date

at

Montgomery, Alabama
City and State

Susan Russ Walker, U. S. Magistrate Judge
Name & Title of Judicial Officer


Signature of Judicial Officer

AFFIDAVIT

I, Edward B. Kleppinger, being duly sworn, depose and state the following:

1. I am a Special Agent (SA) of the Department of Homeland Security (DHS), Office of Inspector General (OIG), Office of Investigations, assigned to investigate violations of Title 18, United States Code and other violations against DHS. I have 10 years of criminal investigative experience, six as a Special Agent with the Georgia Bureau of Investigation and four as a Special Agent with the federal government.
2. This affidavit is made in support of a complaint against Bernetta Willis, for an alleged violation of Title 18, USC, Section 1512(a)(2) (Tampering with a Witness, Victim, or an Informant). Since this Affidavit is submitted for the purpose of establishing probable cause to support the issuance of a complaint and search warrant, I have not included each and every fact known by the government concerning this investigation. Statements attributed to individuals are provided in substance and in part.
3. On Friday, January 20, 2006, I took a proffer from Valarie Howard. Howard had previously been indicted and arrested on a one-count violation of 18 United States Code (USC), Section 641, Case No. 2:05cr269-T. The charges stated that Howard knowingly and willfully did embezzle, steal, purloin, and convert to her own use and the use of others, without authority, approximately \$2,000.00 check issued by the Federal Emergency Management Agency (FEMA), an agency of the United States Government, to which she was not entitled. When questioned how she received the money, Howard stated that right after Katrina hit the Gulf Coast area, she received a telephone call at her house from Bernetta Willis (a/k/a Lashay, Nettie, Hi-Girl) from Willis's cellular telephone, (334) 561-6020. Willis told Howard that Willis was going to "hook" Howard up with some money. Willis stated that she just needed Howard's name and address to send the check. Agent Kleppinger asked if Howard knew Litasha Washington. The OIG had identified several FEMA checks sent to Willis's address in Montgomery addressed to Washington. Howard stated that Willis had a girlfriend/lover named Tasha. Howard did not know her last name, but identified her as a black female, approximately 19-20 years old, with dreads or twists in her hair. This description fits subject Litasha Washington. The OIG is also investigating Washington for FEMA fraud.
4. On Tuesday, January 24, 2006, I interviewed Valarie Howard via telephone. Howard stated that Willis had threatened to kill her and pulled out a handgun and pointed it at Howard in the early morning of January 23, 2006 outside of the Rose Supper Club, 954 Highland Ave., Montgomery, AL 36104. Howard stated that Willis pulled a pistol on her and told her that she (Willis) was going to blow her (Howard's) head off because Howard was going to testify against her in court about the FEMA checks. Howard drove to the MPD after the threat and Willis followed in her own vehicle continuing to threaten Howard with a gun brandished. Howard stated that "Tasha" and "Poo-Poo" were also in

Willis's vehicle. The OIG believes "Tasha" is Litasha Washington and had previously identified "Poo-Poo" as Karsten King, also under investigation by the OIG. Howard stated that she had filed a warrant with the Montgomery Police Department (MPD) against Bernetta Willis. Upon further investigation with the MPD, the OIG determined Howard filed a Deposition, but did not obtain a warrant after being advised by the MPD to contact the federal authorities regarding her plea status and ongoing case. The Deposition was made on January 23, 2006, and conforms to the statement Howard subsequently gave to me on January 24, 2006.

5. On Wednesday, January 25, 2006, Assistant Special Agent in Charge (ASAC) of the Department of Homeland Security (DHS), Terry C. Crump interviewed Howard, regarding this incident in person. Agent Kleppinger, Special Agent James Whitlock, (also with the DHS/OIG), and Assistant U.S. Attorney Christopher Snyder were also present. During the interview, Howard reiterated the incident of January 23, 2006, with the same details. She also provided the names of several witnesses who could corroborate the events.
6. Upon a conversation with Agent Crump, I have been informed that he interviewed Lee Williams, who was a security guard at the Rose Supper Club on Thursday, January 26, 2006. Prior to their conversation, Agent Crump informed me that he verified Williams's employment at the Rose Supper Club on Wednesday, January 25, 2006. Agent Crump also informed me that Williams stated the following:
 - a. that he was a security guard at the Rose Supper Club on the morning of January 23, 2006;
 - b. that Willis, who he had known for several years, had pulled a gun on Howard outside of the club;
 - c. that while he was attempting to subdue the situation and walk Willis to her car, Willis stated that she was "going to kill that Bitch" because she (Howard) was going to testify against her.

7. Based on the foregoing, I have probable cause to believe that Bernetta Willis used physical force and the threat of physical force against Valarie Howard, and attempted to do so, with intent to influence, delay, or prevent the testimony of Valarie Howard in an official proceeding in violation of Title 18 United States Code, Section(s) 1512(a)(2).



Edward B. Kleppinger,
Special Agent
Department of Homeland Security
Office of Inspector General

Subscribed and sworn to
before me this 27th day
of Jan., 2006.



United States Magistrate Judge